

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: JULY 8, 2020
NUMBER: 1.51
SUBJECT: LICENSE PLATE RECOGNITION
RELATED POLICY: N/A
ORIGINATING DIVISION: OPERATIONAL SUPPORT
NEW PROCEDURE:
PROCEDURAL CHANGE: **EXTENSIVE CHANGES**
SUPERSEDES: 05/22/2015

I. PURPOSE

This Department Procedure establishes guidelines for Department members using License Plate Recognition technology.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

License Plate Recognition (LPR) is a computer based, information gathering system that utilizes specially designed cameras to rapidly capture an image of a vehicle license plate and convert the plate characters into a text file using optical character recognition technology. The text file can then be compared against pre-existing data files. If a match is found, the LPR user is notified by an audible alert and an associated notation on the user's computer screen. Because the LPR system is programmed to check all vehicles in the same manner, they are an objective non-discriminatory public safety tool. The data obtained by LPR cameras is useful in criminal investigations.

IV. DEFINITIONS

3M/PIPS – Current LPR technology deployed on patrol vehicles.

V. PROCEDURES

A. Authorized Purposes, Collection, and Use of LPR Data

LPR systems have proven to be very effective tools in combating crime. LPR operation and access to LPR data shall be for official law enforcement purpose only. The legitimate law enforcement purposes of LPR systems include the following:

1. Locating stolen, wanted, or subject of investigation vehicles.
2. Locating witnesses and victims of a violent crime.
3. Locating missing or abducted children and at-risk individuals.

B. LPR Strategies

1. LPR equipped vehicles should be deployed as frequently as possible to maximize the utilization of the system.
2. Regular operation of LPR should be considered as a force multiplying extension of an officer's regular patrol efforts to observe and detect vehicles of interest and specific wanted vehicles.
3. LPR may be legitimately used to collect data that is within public view but should not be used to gather intelligence of First Amendment activities.
4. Reasonable suspicion or probable cause is not required for the operation of LPR equipment.
5. Use of LPR equipped cars to conduct license plate canvasses and grid searches is encouraged, particularly for major crimes or incidents as well as areas that are experiencing any type of crime series.
6. Users will verify an LPR response through CLETS before taking enforcement action.

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C. LPR Operator Procedures

LPR informational data files are periodically updated with different data sources being refreshed at different intervals. Therefore, it is important that LPR users take into account the potential for lag time between last update and an alert provided by the LPR system on a vehicle of interest or wanted vehicle. **Any alert provided by an LPR system is to be considered informational and advisory in nature and requires further verification before action.**

When alerted that a vehicle is wanted, stolen, or of interest to law enforcement, the mobile operator should, to the fullest extent possible, take the following steps:

1. Ensure the plate was read properly and that the state of origin is consistent with the alert.
2. Confirm the alert status by either manually entering the license plate information via the MCT or requesting the check through dispatch.
3. Review the alert information to determine the nature of the advisory.
4. In the event that compelling circumstances are present or situational officer safety issues make it unsafe to confirm the status of the alert information prior to taking action, the operator must confirm the status of the alert information as soon as possible.
5. When action is taken on an alert vehicle, it is the responsibility of the person taking action to provide the appropriate disposition information so the system may be updated as necessary.
6. Only sworn law enforcement officers should engage in contacting occupants of stolen or wanted vehicles.

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VI. LPR DATA STORAGE, RETENTION AND ACCESS

- A. Authorized users of the LPR system are: Detectives, who conduct in-depth criminal investigations; Officers, who are assigned to an area of patrol in the enforcement of law and order and prevention of crime; RSVPs, who provide additional resources to the police department by assisting with crime prevention programs and promoting community awareness toward public safety; LPR manufacturer service technicians who provide technical support for LPR hardware and software and SDPD Information Services technicians who coordinate the development, testing, implementation, and modification of department information systems and provide hardware/software technical support to end users in the day-to-day operation of department systems.
- B. Operational Support Administrators will ensure personnel operating LPR systems have the technical expertise and necessary department approved training to access LPR systems. Training requirements for users include CLETS certification, SDPD policy and procedures 1.51 compliance, and ARJIS training.
- C. LPR systems have the capacity to collect and store data relevant and necessary for authorized law enforcement purposes. The San Diego Police Department does not operate its own LPR server. All data collected by San Diego Police LPR vehicles is transferred to ARJIS LPR servers.

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- D. LPR data stored in our system does not include any personally identifying information, or information which relates the license plate image to the driver or registered owner of a vehicle. All LPR data downloaded to the mobile workstation shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time. ARJIS is responsible to ensure proper collection and retention of LPR data, and for managing access to this data.

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As established by the ARJIS Chief's and Sheriff Management Committee, LPR data will be retained for a period of one year from the time the LPR record was captured by the LPR device. After one year, it is automatically purged by ARJIS.

VII. RELEASING LPR DATA

- A. Notwithstanding any other provision of law, all electronic images or data gathered by LPR technology are for the exclusive use of law enforcement personnel in the discharge of official duties and are not open to the public.
- B. Law enforcement officers shall not share LPR data with commercial or private entities or individuals. However, law enforcement officers may disseminate LPR data to government entities with an authorized law enforcement or public safety purpose for access to such data.
- C. Nothing in these guidelines should be interpreted as limiting the use of the electronic images or data for legitimate purposes by prosecutors or others legally permitted to receive evidence under the law.

VIII. LPR SYSTEM ADMINISTRATOR ROLE AND RESPONSIBILITIES

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The Operational Support Commanding Officer will oversee the LPR program. System Administrators shall be sworn members assigned to Operational Support and are responsible for performing the following duties:

- A. Ensuring personnel operating LPR systems have the technical expertise, training, and necessary clearances to access law enforcement databases and information.
- B. Updating operators of any technological, legal, or other changes that affect the use of LPR systems.
- C. Controlling LPR use, data access, and sharing of data with other authorized agencies.
- D. Maintain user records containing query information including the purpose, date/time of access, data queried, and user identification in accordance with SB-34 section 1798.90.52, which states:

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If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

- (a) Maintain a record of that access. At a minimum, the record shall include all of the following:
 - (1) The date and time the information is accessed.
 - (2) The license plate number or other data elements used to query the ALPR system.
 - (3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.
 - (4) The purpose for accessing the information.
 - (b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy required by subdivision (b) of Section 1798.90.51.
- E. Serving as the primary point of contact for regional LPR issues and notification of system or operational changes.
- F. Developing and delivering training for LPR system use, including the initial training and any subsequent updates or revisions as necessary.